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A LIMITED LIABILITY PARTNERSHIP

April 19, 2005

BY FACSIMILE AND REGULAR MAIL

Wendy J. Mellk, Esq.
Jackson Lewis
58 South Service Road
Suite 410
Melville, NY 11747

Re: Jeff Schmidt v. American Institute of Physics, et.al.
Civil Action No. 04-cv-3774 United States District
for the District of Maryland

Dear Wendy:

I write to memorialize our discussion of April 18, 2005, regarding mediation, discovery and the document productions of each party.

As I discussed, our client remains interested in mediating the above referenced matter and look forward to hearing about potential mediators. I believe in our previous conversations you felt that there might be mediators whom we could use and we look forward to discussing proposed mediators as soon as possible. Although we proposed Ms. Linda Singer, I agreed that we would be amenable to discussing other potential mediators in light of the fact that Ms. Singer would not be available until, at earliest, June 2005.

Regarding discovery, you proposed that we attempt to seek a stay of discovery with the Court in light of the June discovery cut-off and our apparent shared intentions to mediate the matter. As discussed, I will need to get back to you regarding our willingness to stay discovery. At present, we are inclined to not stay discovery.

Finally, when I asked you when we could anticipate receiving your documents, you stated that you were operating under the impression that documents would not be exchanged in light of our discussions to mediate. I am puzzled as to why you would be operating under this understanding - especially in light of your recent request for a two week extension to produce your documents and our request of last week for a similar extension. Surely neither party would



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need to seek such an extension if discovery was postponed indefinitely in light of mediation discussions. Toward this end, I request that you serve discovery responses and produce AIP's documents as soon as possible, and in no event later than Tuesday, April 26, 2005. As you are aware, the discovery cutoff is presently set for June 27, 2005. As such, we are anxious to keep discovery moving along regardless of our shared interest in mediation.

Please let me know if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Erik T. Koons".

Erik T. Koons